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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF CALIFORNIA

Nancy McCaa,

Plaintiff,

vs.

Michael J. Astrue,
COMMISSIONER OF the SOCIAL
SECURITY ADMINISTRATION,

Defendant.

No. 5:07-cv-05322-RS

MOTION AND ~~PROPOSED~~
ORDER FOR EXTENSION OF
TIME TO FILE PLAINTIFF'S
MOTION FOR SUMMARY
JUDGMENT AND/OR REMAND
(no hearing)

MOTION.

Plaintiff moves the Court for an extension of time in which to file Plaintiff's Motion. Pursuant to the previous unopposed motion and order, the motion was to have been filed by April 23, 2008. Plaintiff seeks a thirty-day extension; this is Plaintiff's second extension for this filing; the extension is needed to post-facto allow for a calendaring miscue and an unexpected period of urgent attention to another pending litigation matter; this extension will also extend Defendant's 30-day date for filing a cross-motion by an equal amount of time.

Defendant's Counsel Ms. Montano has related that Defendant will/would not oppose this extension. Plaintiff submits and requests that no hearing is necessary in this motion, as is usual in Social Security litigation (per the procedural order), and

1 also because Defendant does not oppose the extension.

2 RESPECTFULLY SUBMITTED on this 24th day of April, 2007.

3
4 /s/
James Hunt Miller, Attorney for Plaintiff Ms. McCaa

5
6 ORDER (~~PROPOSED~~)

7 PURSUANT TO PLAINTIFF'S MOTION, IT IS ORDERED that Plaintiff may
8 have a 30-day extension, or until May 23, 2008, in which to file the motion.

9
10 DATE: April 28, 2008


United States Magistrate Judge